

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

EMPLOYERS MUTUAL CASUALTY )	
COMPANY, an insurance company )	
incorporated in the State of Iowa; )	
)	CIVIL ACTION NUMBER
Plaintiff, )	
)	2:05 CV 602-T
V. )	(WO)
)	
OLLIE WADSWORTH; and )	
JOSEPH M. PEIL )	
)	
Defendants. )	

**REPORT OF PARTIES PLANNING MEETING**

1. Pursuant to Fed.R.Civ.P. 26(f), a meeting was held on October 4, 2005, and was attended by:

Cynthia A. Martin for plaintiff Employers Mutual Casualty Company  
Donald R. Jones, Jr. for defendant Ollie Wadsworth  
Brian P. Strength for defendant Joseph Peil

2. Pre-Discovery Disclosures. The parties will exchange by October 21, 2005 the information required by Rule 26(a)(1).

3. Discovery Plan. The parties jointly propose to the Court the following discovery plan:

Discovery will be needed on the following subjects:

insurance coverage, policy interpretation and the underlying claims currently asserted in underlying action pending in the Bullock County Circuit Court, styled, *Joseph M. Peil v. Ollie Wadsworth*, CV 04-87 ("the underlying action").

All discovery commenced in time to be completed by March 31, 2006.

Maximum of 25 interrogatories by each party to any other party. Responses due 30 days after service.

Maximum of 25 requests for admission by each party to any other party. Responses due 30 days after service.

Maximum of 10 depositions by plaintiff and 10 by defendants.

Each deposition is limited to a maximum of 3 hours unless extended by agreement of parties.

Reports from retained experts under Rule 26 due:

from plaintiff by January 27, 2006.

from defendants by February 27, 2006.

Supplementations under Rule 26(e) due March 15, 2006.

#### 4. Other Items.

The parties do not request a conference with the Court before entry of the scheduling order.

Plaintiff should be allowed until December 30, 2005 to join additional parties and until December 30, 2005 to amend the pleadings.

Defendants should be allowed until January 24, 2005 to join additional parties and until January 24, 2005 to amend the pleadings.

All potentially dispositive motions should be filed by January 16, 2006.

Settlement cannot be realistically evaluated prior to December 28, 2005.

Final lists of witnesses and exhibits under Rule 26(a)(3) should be due  
from plaintiff by 30 days prior to trial.

from defendants by 30 days prior to trial.

Parties should have 10 days after service of final lists of witnesses and exhibits  
to list objections under Rule 26(a)(3).

The case should be ready for trial by April 24, 2006 and at this time is expected  
to take approximately 1 day.

/s/ Cynthia A. Martin  
Attorney for Plaintiff EMCC

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